

NATIONAL

Trump order to aim first at Bears Ears

GREENWIRE, April 25

President Trump tomorrow will sign an executive order calling for a review of the Antiquities Act and dozens of national monuments that were created by his predecessors in the past two decades, Interior Secretary Ryan Zinke said tonight at a White House briefing.

The review, to be led by Zinke, will span from the 1.9 million-acre Grand Staircase-Escalante National Monument established in southern Utah by President Clinton in 1996 to the 1.35 million-acre Bears Ears National Monument created by President Obama over the opposition of the Beehive State's congressional delegation late last year.

Ultimately the secretary may urge the president to rescind, resize or modify the management of around 30 national monuments, Zinke said, all of them larger than 100,000 acres.

The lands and waters under review total tens of millions of acres, he noted. He will also recommend legislative changes to the century-old Antiquities Act.

The first step is to provide Trump with an interim report in 45 days focused on Bears Ears. Then a final report — based on discussions with members of Congress, local lawmakers and other stakeholders — is due within 120 days, Zinke told reporters. That document will contain recommendations for how the president should deal with the other monuments included in the review.

Zinke acknowledged it remains unclear whether the administration has the legal authority to rescind monuments. "I'm not scared of getting sued," he said.

The executive order will restore "the trust between local communities and Washington," Zinke said. It also will put "America and the Department of the Interior back on track to manage our federal lands in accordance with traditional multiple use," he added.

Zinke also reiterated his opposition to transferring federal lands and denied claims that the lands under review will end up open to drilling.

But ahead of Zinke's briefing, conservation advocates panned the Trump administration's planned review of monuments as a secretive effort to all but turn over currently protected lands to the fossil fuel industry and other interests.

"While the details are still emerging, it is clear that these reviews are a thinly veiled attempt to appease industry and sell off our national parks, public lands, oceans and cultural heritage to the highest bidder," said Christy Goldfuss, the Center for American Progress Action Fund's vice president for energy and environment policy.

Goldfuss, a veteran of the Obama White House, spoke as part of a press conference along with Sen. Martin Heinrich (D-N.M.), Ute Indian Tribe Business Committee Chairman Shaun Chapoose and others.

Trump to order Interior to review 50-plus sites

GREENWIRE, April 24

President Trump this week will order the Interior Department to conduct a review of at least 50 national monuments to determine whether existing boundaries are "well beyond the areas in need of protection" and to recommend potential changes, a White House official told E&E News.

The official, who spoke on the basis of anonymity, said the executive action will address the Antiquities Act of 1906, which permits presidents to declare federal lands as monuments in order to protect their historical or scientific value and may restrict activities on those lands.

"Past administrations have overused this power and designated large swaths of land well beyond the areas in need of protection," the official said. "The Antiquities Act executive order directs the Department of the Interior to review prior monument designations and suggest legislative changes or modifications to the monument proclamations."

Another source familiar with the anticipated executive order, who spoke on the condition of anonymity, told E&E News that the review would focus on the "necessity, scope [and] size of designations."

While presidents have designated monuments since the creation of the Antiquities Act in 1906, the order will not include every action since that time, the source said.

The Salt Lake Tribune reported last night that the president on Wednesday will direct Interior Secretary Ryan Zinke to review only monuments created since 1996.

The White House action comes on the heels of a monthslong effort led by House Natural Resources Chairman Rob Bishop (R-Utah) and Utah Gov. Gary Herbert (R) to rescind the Bears Ears National Monument, designated by President Obama during his final weeks in office, as well as to review the boundaries of the Grand Staircase-Escalante Monument, created by President Clinton in 1996.

House Natural Resources spokeswoman Molly Block praised the White House for its planned review of national monuments.

"We're happy to see an administration finally taking action to resolve the many abuses of the Antiquities Act," Block told E&E News via email.

Herbert's office did not respond to a request for comment on the planned order, but the governor's public schedule shows he will be in Washington on Wednesday.

Bishop, a vocal critic of Obama's frequent use of the Antiquities Act — the Democratic president issued protections for more lands and waters than any other president — has asserted that Trump could use the law to eliminate a monument's status.

But it remains to be seen whether Trump would attempt to do so. While past presidents have reduced the size of existing monuments, no commander in chief has ever attempted to undo the actions of his predecessors.

Conservationists assert that if Trump were to strike down, or even diminish, a monument, it would likely prompt a legal challenge. But conservative legal scholars assert that Trump could in fact use the Antiquities Act in the way Bishop has suggested (E&E News PM, March 29).

Still, Utah Sen. Orrin Hatch (R) praised the White House's planned action while reasserting his own vow to roll back "the egregious abuse of the Antiquities Act."

"As part of this commitment, I have leveraged all of my influence — from private meetings in the Oval Office in the President's first week in office to my latest trip to Bears Ears this week — to ensure that this issue is a priority on the President's agenda," Hatch said in a statement. "I am grateful that the President has demonstrated his commitment to work with me on this vitally important issue and deliver real results for the Utahns most affected by these massive federal land grabs."

While Congress itself can act to eliminate a monument, it has done so fewer than a dozen times since the law's creation, more often opting to convert areas to national parks.

Center for Biological Diversity Public Lands Director Randi Spivak rebutted Hatch's criticism of the national monuments in his state, noting that the federal lands in question were given to the government when Utah joined the union.

"This is not a land grab. They're already owned by the American people," she said, and later added of the White House's expected executive order: "This is like President Trump is declaring war on America's public lands. This is nothing more than satiating the greed of industry and blatantly dismissing Native Americans, Utahans and all of America's wishes."

Agency retirees warn of shutdown's harm

GREENWIRE, April 25

Former park rangers and public lands employees are warning President Trump and Congress about the impact a government shutdown could have on parks, refuges, fish hatcheries and forests.

Lawmakers need to pass a spending bill by this weekend, when current funding lapses, to avoid a shutdown of much of the federal government. But they have yet to hammer out a final deal, thanks to uncertainty over whether Trump will sign a bill that doesn't include funding for a border wall (E&E Daily, April 25).

In a letter today, four groups of former employees emphasized that past shutdowns "have cost billions of dollars to local communities" who depend on the visitors who use nearby public lands.

"While we certainly want the budget to be resolved to avert a shutdown, we ask that it be done without negatively impacting our public lands, natural resources, communities and public servants," they wrote. "We also ask that a budget agreement be clean of environmentally damaging policy riders that would negatively impact our public lands and natural resources, and actually increase future management costs."

The Coalition to Protect America's National Parks, Public Lands Foundation, Association of U.S. Fish and Wildlife Service Retirees, and National Association of Forest Service Retirees signed the letter. Together, they represent 5,400 former employees of the National Park Service, Bureau of Land Management, Fish and Wildlife Service, and Forest Service.

National parks loomed large the last time the government shut down, in 2013. NPS closed all its parks, monuments and historic sites during the 16-day shutdown, though Republicans on Capitol Hill argued that was unnecessary. Some states ended up paying to keep parks open.

This time around, NPS and other agencies are working with staff hampered by a hiring freeze instituted earlier this year. The White House has since lifted the freeze, but Interior is keeping it in effect for some positions (Greenwire, April 21).

In their letter today, the four groups offered to "work together to ensure that the public is provided continued access to these special places."

"Past government shut downs have clearly impacted the conservation and management of the historical, cultural, and natural resources protected on these lands, and the neighboring

communities," they wrote. "The already reduced numbers of employees working to properly manage these areas are personally and professionally impacted, as are their families."